

REMARKS

The undersigned wishes to thank Examiner Gill for the courtesies extended in clarifying the issues regarding the previously filed Terminal Disclaimer.

Status of Claims

Claims 38-94 remain in this application.

Rejections under the Judicially Created Doctrine of Obviousness-Type Double Patenting

Claims 38-94 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly not patentable distinct from claims 1-27 and claims 33-37 of U.S. Patent No. 6,348,688.

Applicants respectfully submits that claims 38-94 are novel over claims 1-27 and claims 33-37 of U.S. Patent No. 6,348,688.

In response to the Office Action, submitted herewith is a new Terminal Disclaimer under 37 C.F.R. § 1.321(c).

CONCLUSION

In view of the foregoing, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone call would serve to clarify issues or expedite the prosecution of this case, the Examiner is invited to call the undersigned at (508) 416-2472.

Respectfully submitted,
BOWDITCH & DEWEY, LLP

By Michael J. Bastian
Michael J. Bastian
Date: October 21, 2003
Registration No.: 47,411
Direct tel.: (508) 416-2472
Telephone: (508) 879-5700
Facsimile: (508) 929-3073

Bowditch & Dewey, LLP
161 Worcester Road
P.O. Box 9320
Framingham, Massachusetts 01701-9320